

WISCONSIN DEPARTMENT OF REGULATION & LICENSING

The Changing Regulation of Substance Abuse Counselors

"Ensuring the availability of safe and competent professional services"



What is the Wisconsin Department of Regulation & Licensing and what does it do?

The Department of Regulation and Licensing and related professional boards protect the citizens of Wisconsin by ensuring the safe and competent practice of licensed professionals.

We serve the public and the professionals we regulate by fairly administering education, experience, and examination requirements, setting professional practice standards, and ensuring compliance by enforcing occupational licensing laws.

The Department licenses and regulates 128 different types of credentials in 57 professional fields. The agency's 110 employees issue approximately 49,500 new credentials each biennium, renew more than 300,000, and provide ongoing support and services to 340,000 credential holders. The agency also provides centralized administrative services to 43 boards, councils, and advisory committees. The boards, councils, and advisory committees have varying levels of responsibility and professional oversight based on statutory provisions.

The Department has full responsibility for and directly regulates ten professions.

Transferring the Regulation of Substance Abuse Counselors from DHFS & WCB to DRL

What process should counselors and supervisors follow during the transition between WCB and DRL in 2006?

The Department of Regulation and Licensing (DRL), the Department of Health and Family Services (DHFS) and the Wisconsin Certification Board (WCB) have entered into a Memorandum of Agreement setting forth their respective responsibilities during the 2006 transition period.

- September 30, 2006 will be the final due date to submit recertification and renewal fees to the WCB. The WCB will accept new CADC applications through September 30, 2006, and will provide certification examinations through December 15, 2006.
 - WCB will issue certificates in accord with categories of substance abuse certificate holders existing prior to 2005 Wisconsin Act 25, and all new certificates issued will have a uniform expiration date of February 28, 2007.
 - Charges for certificates will be prorated in accord with the length of certification period

granted.

- DHFS in conjunction with WCB shall continue approval of continuing education programs and shall keep DRL apprised of continuing education approvals.
- DRL shall print and disseminate applications for new certificates beginning late November-December. Fees for DRL certificates issued will be:

All Initial Credentials	\$53.00
All Renewals	\$70.00
Ethics Examination	\$57.00
- DRL shall print and disseminate renewal applications for substance abuse certificates beginning after January 1, 2007. On-line certificate renewal is projected to be available in January, 2007 as well.

Why is my new certification date posted as February 28, 2007?

All of the new and renewal certification dates have been prorated in the agreement with the Wisconsin Certification Board to match the new legislation requirements for the Department of Regulation and Licensing of March 1, 2007.

• If this is my new date, this will only allow me one year to meet my two year educational criteria? Will my training all count ? Should I speed up my training requirements?

As a result of the transfer and the unequal periods between renewals, there will be no continuing education requirement for the 2007 renewals.

• I am certified in a category that does not exist in Act 25, the budget bill. What should I be doing now to make sure that I am included in the credential transfer?

The DRL Substance Abuse Counselors Advisory Committee identified this gap in the legislation and has worked toward a remedy. Remedial legislation has corrected this oversight and all current credential holders have a pathway to continued credentialing. Under this legislation CADCs will transfer to a new certificate along with CADC II and CADC-Ds.

• If you are a CADC there is another option for continued credentialing.

Option Two

If you hold a current credential under the Joint Board of Marriage and Family Therapy, Professional Counseling and Social Work you may choose to apply for the Substance Abuse Specialty authorization under s. MPSW 1.09, Wis. Admin. Code. For further information, contact the Department of Regulation and Licensing (DRL) at 608-266-2112 or visit the DRL website where the work of the Committee can be followed at <http://drl.wi.gov/boards/rsa/index.htm>

• Have a plan on file or have a student plan on file.

We recommend that you explore the possibilities of either entering a registered level of certification or become certified at one of the included levels.

• What is the DRL Substance Abuse Counselors Advisory Committee (SACAC) and what is its

role?

SACAC is an advisory committee which provides their viewpoint, advice, industry expertise and guidance for policy and rule making efforts to the Department of Regulation and Licensing.

• What is an administrative rule?

When a Department is authorized by the legislature by Statute to perform a government function, rules must be written and accepted by the legislature to provide oversight in the work of the Department. An example of this is the Administrative Rule is HFS 75:

<http://dhfs.wisconsin.gov/substabus/Programs/HFS75/RulesInx.htm> HFS 75 is the administrative rule that governs the provision of Substance Abuse Treatment Services for agencies that receive funding from the County or State. The new DRL administrative rules will specify the requirements as they relate to becoming a Certified Substance Abuse Counselor. Previously, the Department of Health and Family Services delegated this responsibility to the Wisconsin Certification Board. The WCB does not have formal administrative rules as they are not a part of state government.

• Will I be able to make comments regarding the rule?

During the rule-making process, every proposed rule must be open for public comment during a scheduled public hearing. Each comment must be formally documented in the hearing record. Follow up response must also be documented. The hearing sites, locations, and times will be posted on the DRL website <http://drl.wi.gov/boards/rsa/index.htm>. We anticipate that these will occur between December 2006 and February 2007

For further reference the governing language for this process is detailed in Wis. Stat. Chap. 277 at: <http://www.legis.state.wi.us/rsb/stats.html>

• How often do they meet?

The committee schedule and minutes are posted on the DRL website at <http://drl.wi.gov/boards/rsa/index.htm>

The majority of the work has been completed. Secretary Jackson and all the DRL staff wish to thank the members for their patience and persistence in developing a comprehensive regulatory scheme. The current meeting dates are as follows:

Friday, October 20, 2006

Monday, November 13, 2006

• I have some concerns and suggestion that I would like the Committee to address. How do I provide this?

We welcome any comments relating to the work of the committee. Please send this to: web@drl.state.wi.us.

• Will anything change with my credential when the transfer happens?

If you are already credentialed through the WCB, nothing will other than your credential name.

The following are the title changes that will occur:

- Substance Abuse Counselor-in-Training (f.k.a. RADC I)
- Substance Abuse Counselor (f.k.a. CADC, CADC II and CADC D)
- Clinical Substance Abuse Counselor (f.k.a. CADC III)
- Clinical Supervisor-in-Training (f.k.a. RCS)
- Intermediate Clinical Supervisor (f.k.a. CCS I and CCS G)
- Independent Clinical Supervisor (f.k.a. CCS II)
- Prevention Specialist-in-Training (f.k.a. RPW)
- Prevention Specialist (f.k.a. CPP)

• Overview of key changes to Substance Abuse Regulation in Wisconsin

The DRL, with the Substance Abuse Counselors Advisory Committee, has preserved the experiential, also know as the competency-based pathway, into the profession. Several changes we are proposing to implement raise the standards of the professions and include an educational component for the clinical levels of licensure.

The proposed rules require a minimum of an associate's degree in a behavioral science to qualify for the clinical level counselor, and by requirement, qualification for supervisory certification.

1 year of practice as a clinical substance abuse counselor (a minimum of 2000 hours in no less than 1 calendar year) will be required for application as any level of a clinical supervisor.

A master's level Chapter 457, Stat. credential holder who holds the AODA practice specialty under s. MPSW 1.09 Wis. Admin. Code may qualify as a clinical supervisor of certified substance abuse counselors.

For the clinical level of certification, the DRL will recognize prior post graduate education to the maximum level allowed by the ICRC. Therefore, an underlying associate's degree will count for 1000 hours of supervised practice, a bachelor's degree equals 2000 hours of supervised practice and a masters or doctoral degree will equal 4000 hours. This is double the previous educational allotment.

The proposed rules reduce the required level of continuing education from 48 hours in the biennium to 40 for both substance abuse counselors and clinical substance abuse counselors.

• Scope of Practice Changes

The DRL is beginning to implement scope of practice for the professions. Several specifics include:

- Restrictions on the practice of Substance Abuse Counselors-in-Training: This credential does not assure competency, therefore a clinical supervisor will be required to authorize the in-training counselor to provide functions when adequately trained.
- The supervision of in-training counselors may not be done by Clinical Supervisors-in-Training.
- The committee has advised that initial levels of certification require supervisors with more experience.
- Clinical Supervisors will be legally and ethically responsible for the practice of their supervisees, shall have the authority and responsibility to provide emergency consultation, interrupt/stop

unsafe practice and to terminate the supervised relationship if necessary.

- New definitions of who may provide supervision or qualify as a clinical supervisor: Supervision may only be provided by those with exemptions under the statutes (psychologists, psychiatrists, clinical substance abuse supervisors, or Chapter 457 credential holders who have obtained a clinical supervision certification via their specialty AODA certification under MPSW 1.09)

Where can I get more information?

DRL has convened a certification review committee to obtain consultation in the promulgation of rules to establish minimum standards and qualifications for the certification of substance abuse professionals. The committee is at present meeting on a monthly basis. Access to committee minutes and other information relating to the committee is available on the DRL website at the Substance Abuse Advisory Committee site.

Proposed rules may also be tracked as they develop through the Administrative Rules Home Page: <https://apps4.dhfs.state.wi.us/admrules/public/Home>. This site makes it easy for you to monitor and participate in the rulemaking process. It allows you to view the status of current rulemaking, submit and view comments on rules and subscribe to receive notification of rule making. We also refer you to the following website for the actual language of Wisconsin Act 25, 2005 Assembly Bill 100 on this issue: <http://www.legis.state.wi.us/2005/data/acts/05Act25.pdf>, pages 328, 329, 331-332, 366-371, and 392.

Who should we contact if we have a question about the change?

We continue to welcome questions and suggestions from the profession. We will address questions based on the information available to us.

Questions and suggestions regarding the process for developing the new rules for counselor, clinical supervisor and prevention specialist certification can be directed to the DRL at web@drl.state.wi.us

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